

CHUCK HAGEL

Mr. President, today I pay tribute to my distinguished colleague from Nebraska, Senator CHUCK HAGEL, who will be retiring from the Senate at the conclusion of the 110th Congress.

I have worked with CHUCK since coming over to the Senate in 1998. I have also had the privilege of serving on the Senate Banking Committee with CHUCK. He is a man of integrity and patriotism. CHUCK has served his country proudly throughout the years, whether it be working as a staffer for Congressman John McCollister of Nebraska, as Deputy Administrator of the Veterans Administration, as U.S. Senator, or earning the Purple Heart while defending the freedoms we enjoy today. He has a servant's heart and the people of Nebraska should be proud to have been represented by a man of his character.

I am honored to know him and to have worked with him. I would like to thank CHUCK for his contributions to the Senate and to the country we both love. I wish him and his family the best in all of their future endeavors.

#### DC GUN LAWS

Mrs. FEINSTEIN. Mr. President, I rise today to speak in strong opposition to H.R. 6842, which would repeal the commonsense gun laws of the District of Columbia.

I believe this bill is reckless and irresponsible, and will lead to more weapons and violence on the streets of our Nation's Capital. It will endanger the citizens of the District of Columbia, the government employees who work there, our elected officials, and anyone who visits Washington, DC.

The House bill repeals laws promoting public safety, including DC laws that the U.S. Supreme Court indicated were permissible under the 2nd amendment in the Heller decision.

I strongly disagree with the Supreme Court's decision in Heller that the 2nd amendment gives individuals a right to possess guns for private purposes not related to state militias, and that the Constitution does not permit a general ban on handguns in the home.

However, it is important to note that Heller also stands for the proposition that reasonable, commonsense gun regulations are entirely permissible.

Justice Scalia, who wrote the majority opinion in Heller, noted that a wide variety of gun laws are "presumptively lawful," including laws "forbidding the carrying of firearms in sensitive places" and regulations governing the "conditions and qualifications on the commercial sale of arms." Even bans on "dangerous and unusual weapons" are completely appropriate under the Heller decision.

The House bill completely ignores this language and takes the approach that all guns, for all people, at all times is the only way to go after Heller.

It is worth noting just how far the House bill goes in repealing DC law and

just how unsafe it will make the streets of DC.

The bill would do the following: It would repeal DC's ban on semi-automatic weapons, including assault weapons.

If this bill becomes law, military-style assault weapons with high capacity ammunition magazines will be allowed to be stockpiled in homes and businesses in the District, even near Federal buildings like the White House.

Even the .50 caliber sniper rifle, with a range of over 1 mile, will be allowed in DC under the House bill. This is a weapon capable of firing rounds that can penetrate concrete and armor plating. And at least one model of the .50 caliber sniper rifle is easily concealed and transported. One gun manufacturer describes it as a "lightweight and tactical" and capable of being collapsed and carried in "a very small inconspicuous package."

There is simply no good reason why anyone needs semi-automatic assault weapons in an urban city. It is unfathomable to me that the same high-powered sniper-rifle used by our Armed Forces in Iraq and Afghanistan will be permitted in our Nation's Capital. Yet this is exactly what the House bill would allow if passed by the Senate.

The House bill would repeal existing Federal anti-gun trafficking laws. For years, Federal law has banned gun dealers from selling handguns directly to out-of-State buyers who are not licensed firearm dealers. This has greatly helped in the fight against illegal interstate gun trafficking, and has prevented criminals from traveling to other States to buy guns.

The House bill repeals this longstanding Federal law and allows DC residents to cross State lines to buy handguns in neighboring States. Illegal gun traffickers will be able to easily obtain large quantities of firearms outside of DC and then distribute those guns to criminals in DC and surrounding States.

The House bill repeals DC law restricting the ability of dangerous and unqualified people to obtain guns.

The bill also repeals many of the gun regulations that the Supreme Court said were completely appropriate after Heller. It repeals the DC prohibition on persons under the age of 21 from possessing firearms, and it repeals all age limits for the possession of long guns, including assault weapons. The House bill even repeals the DC law prohibiting gun possession by people who have poor vision. Unbelievably, under the House bill, DC would be barred from having any vision requirement for gun use, even if someone is blind.

The House bill repeals all firearm registration requirements in Washington, DC. The bill repeals all registration requirements for firearms, making it even more difficult for law enforcement to trace guns used in crimes and tracing them to their registered owner.

The House bill repeals all existing safe storage laws and prohibits DC from enacting any more safe storage laws. After the Heller decision, DC passed emergency legislation allowing guns to be unlocked for self-defense, but requiring that they otherwise be locked to keep guns from children and criminals. The House bill prevents the DC City Council from enacting new legislation to replace the emergency law, as well as from enacting any laws that "discourage" gun ownership or require safe storage of firearms.

Every major gun manufacturer recommends that guns be kept unloaded, locked, and kept in a safe place. Under the House bill, DC could not enact any legislation requiring that guns be stored in a safe place, even in homes with children.

How can anyone believe that enacting these provisions in the House bill and eliminating DC's commonsense gun laws is the right thing to do?

The American people clearly do not agree with the House bill. A recent national poll found that 69 percent of Americans oppose Congress passing a law to eliminate Washington, DC's, gun laws. Additionally, 60 percent of Americans believe that Washington, DC, will become less safe if Congress takes that step.

As a former mayor who saw firsthand what happens when guns fall into the hands of criminals, juveniles, and the mentally ill, I believe that the House bill places the families of the District of Columbia in great jeopardy.

The bill puts innocent lives at stake. It is an affront to the public safety of the District of Columbia, as well as the right to home rule by its citizens.

This isn't just a bad law, it is a dangerous one. If this bill comes to the floor of the U.S. Senate, I will do everything in my power to stop it.

Mr. INHOFE. Mr. President, on June 26, 2008, in the landmark District of Columbia v. Heller decision, the United States Supreme Court decisively confirmed what Oklahomans have known for a long time: we as Americans have an individual right to legally possess and use a firearm.

Prior to the Heller decision, DC, had the most restrictive gun control laws in the country. The District effectively banned handguns in homes and required all licensed firearms to be unloaded and disassembled or bound by a trigger lock or similar device.

Not only did the Supreme Court deem the DC gun ban unconstitutional, it also positively affirmed that "(t)he Second Amendment protects an individual right to possess a firearm unconnected with service in a militia, and to use that arm for traditionally lawful purposes, such as self-defense within the home."

I was very satisfied with the Supreme Court's decision in District of Columbia v. Heller. Before the Supreme Court heard this case, the entire Oklahoma delegation signed onto an amicus brief to the Supreme Court, urging the

Court to affirm that the second amendment protects an individual right to possess firearms. With the signatures of Vice President CHENEY, 55 Senators, and 250 Members of the House of Representatives, this amicus brief had the support of more Members of Congress than any other amicus brief in known history.

Unfortunately, it did not come as a great surprise that soon after the Supreme Court decided the Heller case, the DC City Council began exploring new ways to restrict firearm possession in the District.

In response, on September 17, the House of Representatives passed the National Capital Security and Safety Act, H.R. 6842, by an overwhelming bipartisan vote of 266-152. This bill prohibits the DC government from passing any law to restrict firearms in a person's home, business, or land. Additionally, the legislation rolls back the restrictions that the DC government has implemented that prohibit the registration of certain types of firearms. The bill also allows residents of the District of Columbia to purchase firearms from licensed dealers in the neighboring states of Virginia and Maryland.

After the House of Representatives passed this important bill, I joined 47 of my colleagues in the Senate in sending a letter to Majority Leader REID asking him to bring up H.R. 6842 for consideration in the Senate. I sincerely hope that the Senate has the opportunity to debate and vote on this bill and send it to President Bush this year.

I have tenaciously fought to preserve the right of individual citizens to keep and bear arms since my first days in Congress. I will continue in this next stage of the battle over the interpretation of the second amendment.

#### CITIZENSHIP APPLICATION BACKLOGS

Mr. LEAHY. Mr. President, following Republican opposition to the Senate's effort to pass a comprehensive immigration bill last summer, President Bush and other Republicans moved on and away from this admirable goal. They chose, instead, to accommodate the most extreme views in their party with respect to immigration. Secretary Chertoff turned to mass immigration raids and building border walls that have consumed millions of taxpayer dollars, tread on the rights of property owners along the southern border, scarred the environment and tarnished the reputation of the United States around the world.

One aspect of the immigration debate on which I have continued to press this year is the backlog in citizenship applications. Last year, the administration insisted on a fee increase for citizenship applications and assured us it would cut processing time if authorized. That increase, along with the increased enforcement activities, and an impending presidential election, com-

bined to result in a surge in citizenship applications. In just three months, May, June, and July of 2007, the immigration agency received over 700,000 citizenship applications. By last October, the agency had over 1 million citizenship applications pending, and a significant backlog had developed. Yet the administration did little. Its response reminded me of its preparations for Hurricane Katrina or the current financial meltdown. The anticipated surge in applications was not adequately planned for but resulted in a crisis before the administration would begin to notice.

In early 2008, Senator KENNEDY and I pressed Secretary Chertoff. We joined, along with Senator SCHUMER, in writing to the Homeland Security Secretary about this problem in advance of our April 2008 oversight hearing.

At the April hearing, I asked Secretary Chertoff for a firm commitment that persons who had applied for U.S. citizenship by March 31, 2008, would have their applications processed in time to register and vote in the upcoming Presidential election. Seven months should have been adequate to consider these applications, especially when the agency had sold the increase in fees to us by saying it would cut processing time to less than seven months.

When Secretary Chertoff sought to excuse his delays by blaming the Federal Bureau of Investigation, FBI, for being slow to clear name checks, we made sure to provide the FBI with additional resources.

At our most recent FBI oversight hearing with Director Mueller last week, I continued to raise the issue. At one point, the backlog in citizenship applications was 1 million. By this spring, it was still nearly half a million. After the most recent oversight hearing, we were told that it has been significantly reduced and now numbers in the tens of thousands. I thank the agents at the FBI and U.S. Customs and Immigration Services, USCIS, for their hard work.

The monthly updates we demanded have been helpful not only to us, but apparently also to encourage progress within the agency. That is, of course, still too many. No one who has been here, working hard, following the law, who has applied for citizenship more than 6 months ago, ought to be denied participation in the upcoming Presidential election because the Homeland Security bureaucracy has been too slow to process his or her application.

Now is the time for the agency to make a final push to process the remaining backlog of applications by the end of this month so that lawful immigrants will have time to register and will be able to vote. It is unacceptable that tens of thousands of people, some of whom have been waiting for 2 years to have their applications processed, will be left in limbo and unable to participate as citizens during the elections in November. So there is still significant work to do.

The Senate took an important step Wednesday night when it passed S. 2840, the Military Personnel Citizenship Processing Act. I am pleased the Senate has given its unanimous support to this legislation.

This bill is intended to help the Department of Homeland Security and USCIS expedite citizenship applications for members of the Armed Forces by creating a liaison with the FBI and by setting processing deadlines for these applications. Those who serve in our military and who wish to become citizens do not deserve to experience unnecessary bureaucratic delays. Their dedication to the United States, and their desire to become full participants in the democracy they help defend, ought to be met with a process that is as fair and efficient as possible.

The legislation the Senate passed last night will help to streamline the citizenship process for the legal permanent residents who have served the country they wish to call their own. I hope that this legislation will help move Congress toward seeking additional improvements in the citizenship process for everyone. The granting of citizenship is one of the most sacred privileges our Nation conveys, and only comes to those who have worked hard to achieve it. Ensuring that it is carried out with care and efficiency is a goal all members of Congress should support.

I thank Senators SCHUMER and HAGEL for successfully moving this legislation through the Senate, and thank all Senators for supporting this measure.

I commend Senator KENNEDY, Senator SCHUMER and the other members of the Judiciary Committee who have worked with me all year in our oversight effort to ensure that the citizenship application backlog of 1 million would be eradicated. Senator KENNEDY, in particular, is someone who has been unrelenting in his focus on this issue and characteristically fought for fairness, dignity and the rights of those least powerful among us. Senator KENNEDY is our longtime chairman of the Immigration subcommittee, and has led the Senate on immigration matters for years. He asked me to express his appreciation to USCIS for its progress in clearing up the backlog in naturalization applications that otherwise would have deprived over a million eligible citizens the opportunity to participate in our democracy during this fall's election. He asked me to say that the right to vote is the most precious right that American citizens have. He welcomes these new Americans, and he urges them to go to the polls this November.

I hope that as a new administration takes office and begins to help this Nation rise above the divisiveness, corruption, and failures of the last 8 years, we can renew our commitment to immigration reform. The answer does not lie in policies based on fear or isolationism, but in a restoration of America's rightful role in the world. It does